

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIE COUNTY ENVIRONMENTAL COALITION, PENENVIRONMENT, INC. and THE GAIA DEFENSE LEAGUE,)	
Plaintiffs)	
)	
v.)	CIVIL ACTION NO. 05-59 ERIE
)	ELECTRONICALLY FILED
MILLCREEK TOWNSHIP SEWER AUTHORITY AND MILLCREEK TOWNSHIP,)	JUDGE COHILL
Defendants)	

AFFIDAVIT OF DOUGLAS D. RANGE

COMMONWEALTH OF PENNSYLVANIA)	
)	ss:
COUNTY OF ERIE)	

I, DOUGLAS D. RANGE, first being duly sworn on oath and under penalty of perjury, hereby states as follows:

1. I am the Director of Environmental Health Services for the Erie County Department of Health ("ECDH").
2. As Director of Environmental Health Services, I am responsible for all aspects of the ECDH's Environmental Program, including water quality monitoring, inspections, enforcement and other activities relating to NPDES permits and un-permitted discharges within Erie County.

3. Millcreek Township is located in Erie County and falls under the scope of my responsibilities.

4. By agreement with the Pennsylvania Department of Environmental Protection ("Department"), the ECDH acts as the agent of the Department in Erie County on enforcement, surveillance and permitting matters.

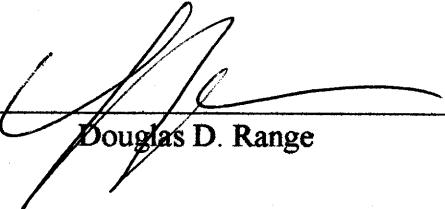
5. On Tuesday December 14, 1999, while employed as an Environmental Protection Specialist with the ECDH, I received from the Millcreek Township Sewer Authority a notice of an overflow at the Kearsarge pump station, which had occurred that day.

6. A true and correct copy of the December 14, 1999 notice is included in the Appendix to the Motion for Summary Judgment at App. 704.

7. On December 14, 1999, I reviewed the notice from the Millcreek Township Sewer Authority and that same day I notified Walt Sarsfield at the Department of the overflow event.

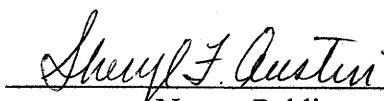
8. In my role as Director of the Environmental Program, I am responsible for overseeing the compliance of the City of Erie with its NPDES permits.

9. A true and correct copy of the City of Erie NPDES permit is included in the Appendix to the Motion for Summary Judgment at App. 7 - 66.



Douglas D. Range

Sworn to and subscribed before me
this 29th day of March, 2006.



Sheryl F. Austin
Notary Public

